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August 23, 2021

## **VIA ECF**

Honorable Valerie Caproni, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 443  
New York, New York 10007

Re: *In re Navidea Biopharmaceuticals Litigation, Case No. 19-cv-01578-VEC*

Dear Judge Caproni:

I represent Defendant/Counterclaim Plaintiff/Third-Party Plaintiff Dr. Michael M. Goldberg, M.D. (“Dr. Goldberg”) in the above-referenced matter. We write to follow up on our letter of August 20, 2021 requesting that the Court grant us a brief, one-week extension of the deadline for disclosure of expert witnesses set forth in the Stipulation and Order entered by the Court on July 29, 2021 (the “Discovery Order”), which was set for Friday, August 20, 2021. We have conferred with counsel for Plaintiff/Counterclaim Defendant Navidea Biopharmaceuticals, Inc. (“Navidea”) and Third-Party Defendant Macrophage Therapeutics, Inc. (“Macrophage”) and they have consented to the request. The parties do not see any need to modify any other dates contained in the Discovery Order at this time. In the event the parties believe that any such changes may be necessary they will present the issue to the Court for consideration.

We therefore respectfully request that the Court grant Dr. Goldberg’s request for a one-week extension of the deadline to disclose expert witnesses and the general subject matter of their intended testimony until August 27, 2021.

Thank for your attention to this matter.

Respectfully submitted,

/s/ Gregory Zimmer, Esq.

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